

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 92-572-C - ORDER NO. 93-204

MARCH 1, 1993

| | | | |
|--------|--|---|---------------|
| IN RE: | Application of South Carolina Public |) | ORDER DENYING |
| | Communications Association for |) | MOTION TO |
| | Implementation of Intrastate Dial-Around |) | COMPEL |
| | Compensation. |) | |

This matter is before the Public Service Commission of South Carolina (the Commission) on AT&T Communications of the Southern States, Inc. (AT&T's) Motion to Compel the South Carolina Public Communications Association (SCPCA) to further respond to its First Interrogatory Numbers 4, 10, and 11. The SCPCA argues that AT&T's Motion to Compel should be denied in its entirety.

The Commission has reviewed AT&T's First Interrogatory Numbers 4, 10, and 11 and SCPCA's responses. Based on this review, the Commission concludes that the SCPCA has adequately responded to AT&T's First Interrogatory Numbers 4, 10, and 11, and that the Motion to Compel should be denied. The Commission's reasoning is explained below.

AT&T's First Interrogatory Number 4 states as follows:

Please provide each member's average monthly revenues per public telephone, broken down into (a) local revenues, (b) intrastate, intraLATA toll revenues, (c) intrastate, interLATA toll revenues, (d) interstate interLATA toll revenues, (e) international toll revenues, and (f) other revenues.

In its response the SCPCA stated that:

a COCOT [Coin or Coinless Operated Telephone] provider's monthly revenue is in the form of coin revenue (sent paid calls) and non-coin revenue (non-sent paid calls). While coin revenue is generated for each category of calls set forth above, the percentage of coin revenue coming from each category is not maintained by the COCOT provider. Consequently, the information requested in Interrogatory No. 4 is unavailable to the Petitioner or its members.

In its Motion to Compel, AT&T asserts its First Interrogatory Number 4 sought the aggregated and disaggregated monthly revenues per public telephone. The Commission disagrees. The Commission concludes that the interrogatory specifically sought the disaggregated monthly revenues per public telephone, that the SCPCA stated it was unable to obtain this information, and, therefore, that the SCPCA has sufficiently responded to this interrogatory.

AT&T's First Interrogatory Number 10 states as follows:

Please provide copies of any call detail reports, including SMDR, in the possession of each member and relating to the period September 1, 1992 to December 31, 1992, or any portion thereof.

In response the SCPCA asserted that the requested information does not exist. The SCPCA explained that SMDRs are not generated for each payphone and that the software in each payphone only retains information for the most recent 100 calls placed from that payphone.

In its Motion to Compel AT&T states that if the information requested by its First Interrogatory Number 10 does not exist, the SCPCA should be required to "state that no member has any call detail reports relating to the period September 1, 1992 to December

31, 1992." The Commission concludes that the SCPCA's statement that "the information requested does not exist" responds to AT&T's interrogatory.

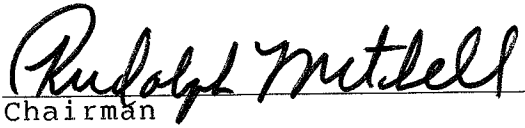
In its First Interrogatory Number 11, AT&T asked as follows: "For each member, please state whether its South Carolina operations earned any profit after expense in 1992." The SCPCA responded that the issue of whether its members earned a profit after expenses in 1992 is irrelevant and, therefore, not discoverable.

The Commission agrees with the SCPCA's argument. As stated by the SCPCA, "[t]he issue before the Commission is the appropriate amount of any dial around compensation that should be required by the Commission to be paid by IXC's to COCOT providers in South Carolina." The Commission concludes that whether the SCPCA's members earned a profit in 1992 is not relevant to the amount of dial around compensation, if any, that the IXC's should be required to pay COCOT providers in South Carolina. Therefore, the

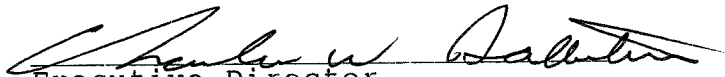
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Commission concludes that AT&T's Motion to Compel a further response to its First Interrogatory Number 11 should be denied.

IT IS SO ORDERED.


VICE Chairman

ATTEST:


Executive Director

(SEAL)